REMARKS

A Pre-Appeal Brief Request for Review was filed on August 28, 2008. A Notice of Panel Decision from Pre-Appeal Brief Review was mailed October 31, 2008. That decision withdrew the final rejection mailed April 1, 2008, and indicated that a new Office action would be mailed. The Office action mailed December 24, 2008, stated that (1) prosecution was reopened and (2) Applicant's arguments with respect to claims 1–14 and 20 were moot in view of the new ground(s) of rejection. However, the Examiner in numbered paragraph 3 beginning at the bottom of page 2 and continuing to page 5 of the Office action purports to respond to Applicant's arguments and concludes in numbered paragraph 4 on page 5 with the statement that "Thus, Examiner maintains the rejection." This is followed by a heading entitled "Claim Rejections - 35 USC § 103". From the foregoing, it is not entirely clear whether the Examiner's comments in the numbered paragraph 3 constitute part of the formal rejections.

This amendment makes minor amendments to the specification to correct errors in grammar and vocabulary usage. No new matter has been added.

Claims 1 to 14, 20 and 22 are pending in the application. This amendment amends claims 1, 5, 10, 11, and 12 and adds new claim 22.

The disclosed and claimed invention is directed to a system which can display a portal site desired by a user of a portable terminal at the time of connecting to the Internet without requiring the user to operate the portable terminal, making it convenient for the user when using the Internet through the portable terminal. The invention is particularly suitable to a GSM-type portable telephone used as the portable terminal. In a GSM-type portable telephone, which is mainly used in Europe, a Subscriber Identify Module (SIM) card is used for identifying a subscriber. The SIM card is issued when subscribing to the GSM service and can be used by being inserted in the GSM-type portable telephone. Stored in the SIM card are a SIM ID, which is specific to each card, a telephone number as the information of the subscriber, a PIN code as a personal identification number, and the like. The

GSM-type telephone cannot be used until the SIM card is inserted. Thus, the SIM card to which the identification data of the user is stored is used by being mounted to the portable telephone as the portable terminal and the address data for the portal site is stored therein.

As shown in Figure 1, the present invention comprises a portable telephone 1 which is a portable terminal owned by a user; a portal site data providing device 2 for directly providing portal site data to the portable telephone 1, a portal managing server 3 connected through a network N for managing the data, user information and the like provided from the portal site data providing device 2, and a contents server 4 for distributing the contents by building a website. The user of the portable telephone 1 inserts a memory medium 11, such as an SIM card, of the portable telephone 1 into a card reader/writer of the portal site data providing device 2 at the time when the user subscribes for the portable telephone 1 for the first time to start using the service. Subsequently, the user selects a desired website on the display of the portal site data providing device 2 and stores the portal site data in which the links to the site are displayed as a menu to the memory medium. In this way, the user can easily obtain the data in regards to the user's desired site even at the time of using the portable telephone. The portable telephone 1 has a function of accessing to the URL of a portal site at the time of connecting to the Internet by reading out an address data when the address data of the portal site is stored in advance. For example, the URL of the portal site is stored within the SIM card 11, and the portable telephone 1 has a function of accessing to the portal site by reading out the URL within a specific region of the SIM card. The URLs stored in the SIM card 11 are stored in advance by inserting the SIM card 11 into the portal site data providing device 2.

As shown in Figure 2A, the portal site data providing device 2 comprises, on its top face, a display 21 functioning as a touch panel 26 (user input device), and a card reader/writer 22 (data reading/writing device) for reading/writing data from/to a storing area of an SIM card 11 of the portable telephone 1 when the SIM card 11 is inserted a card holder 11a (Figure 2B). Figure 2B shows the functional components of the portal site data providing device as comprising a CPU 23 as an operation unit, a

memory 24 or a hard disk as a storage unit. Further, the device can be connected to other computers through the network N and comprises a communication unit 25 as a communication device for achieving this.

The portal managing server 3 is a server which provides various data to the portal site data providing device 2 and manages the data regarding the portal site, which is customized by the user. The configuration of the portal managing server 3 (including the portal managing database 31) is described in the specification by reference to the functional block diagram of Figure 3. In the CPU 32 of the portal managing server 3, a specific program is installed and comprises a function of managing various data such as the data to be supplied to the portal site data providing device 2 to be displayed on the display 21 of the device 2, the portal information for specifying the portal site for each user, and the like. The portal managing database 31 contents to be distributed to the portable terminal 1 of the user. This includes the URL of the site to be the address of the portal site built by the portal managing server 3 itself is stored. The URL is provided to the portal site data providing device 2 and written to the SIM card 11 of the portable telephone 1 by the device 2.

Claims 1 to 4, 12 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,271,804 to Rubin et al. in view of U.S. Patent No. 6,782,253 to Shtelyn et al. and further in view of U.S. Patent Application Publication No. 2003/0214529 of Martin, Jr. et al. Although newly cited, the Martin, Jr. et al. publication is a division of U.S. Patent No. 6,610,105 to Martin, Jr. et al. which is already of record. This rejection is respectfully traversed for the reason that the combination of Rubin et al., Shtelyn et al. and Martin, Jr. et al. does not teach or otherwise suggest the claimed invention.

Rubin et al. disclose in Figure 1, a portal server 110 communicates with clients 140 and other network servers 130 over a network 120 (e.g., the Internet). The portal server 110 includes a user database for storing various types of user configuration and account data. Users may register and login to the portal server 110 from a client 140 by specifying a user ID and/or password. A user connects to the servers 110, 130 via a browser. A user may configure the portal server 110 to retrieve

up-to-date stock quotes for a specified set of stocks (e.g., reflecting the user's portfolio), to collect the weather forecast for the user's hometown, and/or to retrieve recent articles relating to a particular sports franchise. The portal server 110 will then retrieve the specified information from other servers (e.g., server 130) on behalf of the user. The portal server 110 also provides application services such as email, online scheduling (e.g., appointments, to-do lists, etc), instant messaging, contact management, word processing and a variety of other online services. Users may access these services by logging in to the portal server 110 with a valid user ID and password. The portal server 110 generates a unique, personalized Web page for each user containing links to all, or a subset of, the information and/or services subscribed to by the user.

A portal device 150 stores and processes user-specified information and/or programs as well as non-user-specified information/programs (e.g., targeted advertisements based on the user's profile). The information/programs may be transmitted to the portal device 150 through the client 140, and/or directly via wireless broadcast (as illustrated in Figure 2). Thus, the portal device 150 is a removable extension of the portal server 110, storing a subset of the information and services maintained by the portal server 110 on behalf of the user. For example, a user may configure the portal server 110 to periodically download the user's to-do list (or other scheduling data) to the portal device (e.g., every morning, every two hours, every time the user connects the portal device to the client 140, etc). When the user leaves the office, he/she can simply take the portal device with him/her and view his/her schedule throughout the day. Timing of the information/program download may depend on the particular embodiment of the portal device 150. For example, if a wireless embodiment is used (as illustrated in Figure 2) downloads may occur at any time when the portal device 150 is within wireless transmission range, whereas if a non-wireless embodiment is used (as illustrated in Figure 1), downloads may be limited to periods of time when the portal device 150 is connected to the portal server 110. The client link 160 shown in Figure 1 may be a physical connection, such as a Universal Serial Bus (USB) cable connection, or a capacitive connection to the client

140. In Figure 2, the portal device 150 is connected to the client 140 via radio frequency (RF) link 220 and radio station 210.

Figure 4 illustrates an external view a portal device 420 (150 in Figures 1 and 2) which may be used as a key chain. A key chain ring 410 is provided for securing a set of keys (or other personal effects) to the device 420. Also illustrated is a display 430 for displaying various types of portal data. In one embodiment the display is a Liquid Crystal Display ("LCD"). A set of control buttons 440 and 441 are provided for selecting menu items and/or jumping back and forth between stored portal data. Also provide is a control knob 450 for scrolling between menu items and/or data. As shown in Figure 5, the portal device 150 (420 shown in Figure 4) is comprised generally of a microcontroller 505, an external memory 550, a display controller 575, and a battery 560. The external memory 550 may be used to store programs and/or portal data 565 transmitted to the portal device 150 from the portal server 110 (e.g., via client 140 and/or radio station 210). Microprograms and portal data 560 are transmitted from the portal server 110 to the external memory 550 of the portal device via a communication interface 570 (e.g., a USB cable) under control of the CPU 510. The microprograms are comprised of compact, interpreted instructions known as "bytecodes," which are converted into native code by the interpreter module 520 before being executed by the CPU 510.

As shown in Figure 6, when a user initially connects to the portal server 110 (e.g., from client 140), the portal server 110 will determine whether a portal device plug-in is installed on the user's Web browser (at 615). A plug-in is used to coordinate communication between the portal server 110, the client 140, and the portal device 150. In addition, the plug-in may convert and/or compress "standard" portal programs/data (e.g., programs/data meant to be executed on the client 140) into microprograms/data that the portal device can properly interpret, as described herein. If the plug-in is not installed, the portal server 110 may automatically transmit and install it on the client 140 (at 625). At 630, the portal server 110 (e.g., via the plug-in) determines whether the portal device is currently attached to the client 140. If the device 150 is attached, then the portal server 110 will automatically log the user in.

The portal server 110 may automatically authenticate the portal device 150 via a serial number and/or a user authentication key embedded/stored in the device 150. Once the user is logged in to the portal server, he/she can then transmit data to and from the portal device 150. If the device 150 is not attached, however, then the portal server 110 may implement a standard user name/password login procedure and/or may register the user (at 640). Users may construct their own microprograms to be executed on the portal device 150 and/or the client 140.

The portal server 110 converts standard applications and data into a format which the portal device 150 can properly interpret. As illustrated in Figure 9, this embodiment of the portal server 110 may include a content conversion module 920 for processing portal device 150 requests for Internet content 940. More particularly, the portal server 110 acts as a proxy for the portal device 150, forwarding Internet requests 940, 941 to the appropriate Internet site 130 on behalf of the portal device 150, receiving responses from the Internet site 130 in a standard Internet format (e.g., Web pages with embedded audio/video and graphical content), and converting the standard Internet responses 924 into a format which the portal device 150 can process (e.g., bytecodes).

In making this rejection, the Examiner states that "Rubin does not specifically disclose storing in a reversibly removable memory medium of the portable terminal a portal site address for the portable terminal to subsequently access a portal site built according to the user-input portal specifying information, a data reading/writing device for reading/writing data from/to the reversibly removable memory medium, arranged for mounting the memory medium which is reversibly removable from the portable terminal, and for receiving, from the address data storage apparatus a corresponding user-specific portal site address data indicating an address for the portable terminal to subsequently access the portal site specified by the user-input portal specifying information" (emphasis added). The use of the adverb "specifically" by the Examiner is objected to as misleading, suggesting that there may be some inherent disclosure of these limitations when, in fact, there is no such disclosure. Moreover, it is noted that the Examiner engages in speculations on page 3 of the

Office action which are not supported by the reference. The Examiner relies on Shteyn et al. for a disclosure of the quoted limitations, but in fact Shteyn et al. do not disclose the quoted limitations.

Shteyn et al. disclose a method of enabling a user of a mobile communication device to receive a short-range wireless facilitation signal on the device. A beacon transmits the facilitating signal. When the user's device is within range of the beacon, the facilitation signal initiates associating the facilitating signal with a service. The initiating leads conditionally to alerting the user to the service, depending on a user-profile, preferably stored at the mobile device. Accordingly, the user is enabled to get only information about services that are of interest to him/her as indicated by the user-profile. If the service associated with the facilitation signal matches the user-profile, the user gets alerted to the service via the device, e.g., via a text message generated on a display of the communication device. If the service does not match the profile, the device does not alert the user. A user of a mobile device may leverage personalized relations with external servers while communicating with local or personal area service-offering points (SOPs). The mobile device receives information in the form of a facilitation signal from a SOP, determines at least one action type associated with this information, performs a type-based lookup of a personal relation, and accesses an external server, associated with the action type. For example, a DVD player in the home network plays out a specific movie from a DVD. The DVD player has a beacon that sends a facilitation signal that is associated with information about the movie, the movie stars, movies of the same or similar category, related merchandise (books, T-shirts, movies, etc.). The facilitation signal is coded, e.g., onto the DVD itself. The user receives this facilitation signal on his/her Bluetooth-equipped cell phone, e.g., as a simple paging or Short Message Service (SMS) text file.

Figure 1 is a block diagram of a system 100 which comprises a service-offer-point (SOP) 102 with a beacon 104 that transmits a facilitation signal 106 received by a mobile device 108. Device 108 stores, in this example, a user profile 110 that indicates the current interests or activity mode entered by the user

through a suitable user-interface. Signal 106 is interpreted by device 108 and it is checked against profile 110. If signal 106 represents a service currently of interest to the user as indicated by profile 110, the user is alerted to this service via a text message generated on display 112. Device 108 comprises an action look-up table 114 at least partly programmed by, or under control of, the user. The action associated with the current service is to be initiated by the user via device 108 and includes accessing an external server 116 associated with the action type and chosen in advance by the user for being programmed into lookup table 114. Accessing sever 116 comprises sending a service request 118. SOP 102 and server 116 are never directly connected in this example, thus preserving privacy and full user-control of the follow up on an alert. To illustrate the above in more detail, consider the example where a user is watching a movie played out by a DVD player 102. The DVD player sends out a facilitation signal 106 with information, e.g. in XML format, about the book, which was used for the screenplay. The book information is processed by the user's mobile device 108. The relevance of the facilitation signal is determined by profile 110 and, if found relevant, the action type is determined to be "buy a book", e.g., through table 110. The user has set up an account with a specific external book selling Internet service 116. The account information is already stored in mobile device 108 and is associated with the "buy a book" action type. Mobile device 108 uses a pre-defined URL to access web merchant 116 and to request an availability search for the book. When the search is complete, its results are provided to the user's mobile device 108 in order to receive a purchase approval. The user may choose to buy the book, or ignore the information.

The Examiner states that "Neither Rubin nor Shteyn specifically disclose the data reading/writing device is arranged to store the corresponding user-specific portal site address appended to the ID read from the portable terminal in the memory medium of the portable terminal." Again, the use of the adverb "specifically" by the Examiner is misleading suggesting that there may some inherent disclosure of this limitation in the combination of Rubin et al. and Shteyn et al. when, in fact, there is none. The Examiner relies on Martin, Jr. et al. for a disclosure of this limitation, but

there is no such disclosure in Martin, Jr. et al.

Martin, Jr. et al. disclose techniques to facilitate participation of mobile devices in accessing resources over a data network. As shown in Figure 1A, the system comprises a landnet 100 network (wired network) that may be the Internet, the Intranet or a data network formed from a set of private networks. Airnet 102 is a wireless data network. Coupled to landnet 100 are a personal computer (PC) 110 representing one of the many computers coupled to landnet 100 and a plurality of network servers 104 (identified as elements 104-1, 104-2, . . . , 104-m in the figure). Mobile device 106 represents one of many mobile devices serviced by airnet 102. Typically mobile device 106 includes a mobile computing device, a wireless telephone, a palm-sized computing device, a PDA, or an Internet-capable appliance remote controller. Mobile device 106 is capable of communicating wirelessly with antenna 108 via airnet 102. Between landnet 100 and airnet 102 there is a server device 114 functioning as a bridge between the two networks 100 and 102.

Figure 2A depicts a system architecture based on the system configuration of Figure 1A. PC 110 can be used to pre-enter or organize the frequent transactions desired by a user of a mobile device through use of a larger user interface and easier user input. A user inputting a string of this type using a PC keyboard and browser would have no problem entering a long string of characters. However, the same user operating a keypad of a wireless device to input the string would be severely limited in terms of the speed of data entry due to the small number of available keys and the close spacing between them. Some transactions frequently desired by a user of such mobile devices may be predetermined or pre-entered in a corresponding user account maintained in a host server 128 or link server 114, so that the user need only select desired transactions followed by a few letters. For example, if there is a list of stock symbols of interest in a user account that is associated with the user's mobile phone, a user of the mobile phone will not have to key in the symbols every time he desires to look up the current trading price of those stocks. Instead, the list of stock symbols can be previously entered and associated with the user account. When the phone user accesses an application program providing stock price information, the list of stock

symbols and their corresponding prices can be automatically retrieved.

With specific reference to Claim 1, the combination of Rubin et al., Shetyn et al. and Martin, Jr. et al. do not suggest or otherwise teach the following:

Claim 1	Support
A portal site data providing device for reading an ID from a portable terminal, receiving a user-input portal specifying information and storing in a reversibly removable memory medium of the portable terminal a portal site address for the portable terminal to subsequently access a portal site built according to the user-input portal specifying information, comprising:	Figure 1 shows portal site data providing devices 2. Figure 2A shows the portal site data providing device 2 in more detail, and Figure 2B shows a block diagram of the portal site data providing device 2. This device receives user input through a touch panel 26 and stores a portal site built according to the user input on reversibly removable memory medium 11.
a data reading/writing device for reading/writing data from/to the reversibly removable memory medium, arranged for mounting the memory medium which is reversibly removable from the portable terminal, and arranged to read the ID of the portable terminal from the reversibly removable memory medium;	As shown in Figure 2B, the card reader/writer 22 reads/writes data from/to the reversibly removable memory medium 11. The card reader/writer 22 reads the ID of the portable terminal from the reversibly removable memory medium.
a portal specifying information receiving device for receiving a user-input portal specifying information specifying user selection from among a plurality of portal site content options; and	The display control unit 23d serves as the portal specifying information receiving device. See specification at page 27.

Claim 1	Support
an address data storage communication device for transmitting the user-input portal specifying information to an external portal address data storage apparatus and for receiving, from the address data storage apparatus a corresponding user-specific portal site address data indicating an address for the portable terminal to subsequently access the portal site specified by the user-input portal specifying information,	The communication unit 25 transmits user-input portal specifying information to an external portal address storage apparatus 3 (Figure 1) and receives a corresponding user-specific portal site address data indicating an address for the portable terminal to subsequently access the portal site specified by the user-input portal specifying information.
wherein the data reading/writing device is arranged to store the corresponding user-specific portal site address data appended to the ID read from the portable terminal in the reversibly removable memory medium of the portable terminal.	The reading/writing device 22 stores the corresponding user-specific portal site address data appended to the ID read from the portable terminal 2 in the reversibly removable memory medium 11 of the portable terminal 1.

The combination of Rubin et al., Shetyn et al. and Martin, Jr. et al. does not make obvious the limitations recited above under the objective standard set out in *Graham v. John Deere Co.*, 383 U.S. 1, 17–18 [148 USPQ 459]. The Supreme Court in *KSR International Co. v. Teleflex Inc.* (KSR), 550 U.S. 398, 82 USPQ2d 1385 (2007) reaffirmed the familiar framework for determining obviousness as set forth in *Graham v. John Deere Co.* (Graham), 383 U.S. 1, 148 USPQ 459 (1966). As reiterated by the Supreme Court in KSR, the framework for the objective analysis for determining obviousness under 35 U.S.C. 103 is stated in Graham. Obviousness is a question of law based on underlying factual inquiries. The factual inquiries

enunciated by the Court in Graham are as follows:

1. ascertaining the scope and content of the prior art;

2. ascertaining the differences between the claimed invention and the prior art; and

3. resolving the level of ordinary skill in the pertinent art.

These principles were not changed by the Court's decision in KSR; rather, these principles have been reaffirmed by the Court.

Claims 5 to 11 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over the patent to Rubin et al. in view of the patent application publication of Martin, Jr. et al. This rejection is also respectfully traversed for the reasons advanced above. Specifically, the combination of Rubin et al. and Martin, Jr. et al. does not teach or otherwise suggest the claimed invention.

Claim 20 was rejected under 35 U.S.C. §103(a) as being unpatentable over the patent to Rubin et al. in view of U.S. Patent No. 7,062,511 to Poulsen and further in view of the patent application publication of Martin, Jr. et al. This rejection is respectfully traversed for the reason that the combination of Rubin et al., Poulsen and Martin, Jr. et al. does not teach or otherwise suggest the claimed invention.

The arguments concerning Rubin et al. and Martin, Jr. et al. above are incorporated herein by reference. In making this rejection, the Examiner states that "Rubin does not specifically disclose configuring the computer to control a portal site building data storage device for storing information for forming the portal site to be supplied to the portable terminal." Again, the Examiner use of the adverb "specifically" is misleading suggesting that there may be some inherent disclosure of this limitation in Rubin et al. when, in fact, there is none. The Examiner relies on Poulson for "building portal site based on information stored in data storage". But as will become clear from a review of Poulson, what Poulson is doing is entirely different from the claimed invention. To begin with, Poulson defines a portal web site as follows:

"A portal web site is a web site containing one or more portlets displayed on a web page. A portlet is a configurable content area

> displayable on a web page that provides content or performs one or more associated functions. Portlets may display content that is obtained from sources external to the web server. For example, a portal web site may use an arrangement of portlets to display web content on different subject areas." col. 2, lines 42–50

A portal web site as defined by Poulson is not the same as the claimed user-specified portal site address data which appended with the ID into the memory of the portable terminal as claimed.

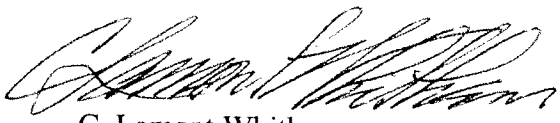
The prior art made of record as being considered pertinent to Applicant's disclosure has been reviewed; however, a review of cited prior art does not show any relevance to the claimed invention.

In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 1 to 14, 20 and 22 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



C. Lamont Whitham
Reg. No. 22,424

Whitham, Curtis, Christofferson & Cook, P.C.
11491 Sunset Hills Road, Suite 340
Reston, VA 20190

Tel. (703) 787-9400
Fax. (703) 787-7557

Customer No.: 30743